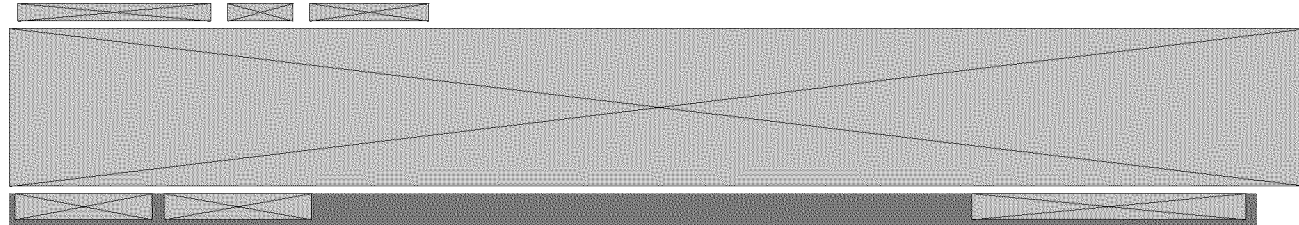


To: D'Andrea, Michael[DANDREA.MICHAEL@EPA.GOV]
From: BNA Highlights
Sent: Thur 2/6/2014 9:05:29 PM
Subject: Feb 6 -- BNA, Inc. Daily Environment Report - Breaking News

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Latest Developments

Warner Plans Senate Hearing on Crude Oil Rail Shipping

Posted February 06, 2014, 3:56 P.M. ET

Sen. Mark Warner (D-Va.) said in an interview Feb. 6 he planned to hold a Senate subcommittee hearing on safety issues related to shipping crude oil by rail following a series of high-profile accidents.

The Commerce, Science and Transportation Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security, of which Warner is chairman, has jurisdiction over safety and security issues related to freight transportation.

The hearing, for which Warner didn't provide a specific date, follows accidents involving trains carrying crude oil, including a July 2013 incident in Lac-Mégantic, Quebec, that resulted in 47 fatalities and a Dec. 30 derailment in Casselton, N.D.

Administration Completes Guidance Review for Permitting of Fracking With Diesel Fuels

Posted February 06, 2014, 3:30 P.M. ET

By [Alan Kovski](#)

The Obama administration completed interagency review Feb. 5 for an Environmental Protection Agency guidance on permitting of oil and natural gas wells where diesel fuels are used in hydraulic fracturing fluids.

The EPA has not yet released final details of the guidance.

The guidance requires fracking with diesel fuels to be permitted through the Underground Injection Control (UIC) program. Diesel fuels and other, similar fuels are used to condition fracking fluids to carry sand and a variety of chemical additives while being pumped down into oil or gas fields.

The Energy Policy Act of 2005 excluded hydraulic fracturing from the UIC program except when diesel fuels are used. That program, a part of the Safe Drinking Water Act, was originally designed primarily for waste injection wells.

Industry officials have said they can avoid using diesel fuels, but they worry that the definition of "diesel fuels" will be

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too broad, making it difficult for them to avoid an additional layer of permitting.

Moniz Announces \$30 Million for Hybrid Solar Projects

Posted February 06, 2014, 2:29 P.M. ET

President Barack Obama's "all-of-the-above" energy strategy includes being committed not only to "lower carbon" but also to "having all the fuels" to do the research needed "to create options for those fuels in a low-carbon marketplace," Energy Secretary Ernest Moniz said Feb. 6 at the University of Texas-Austin.

Moniz also announced \$30 million in funding for 12 projects geared toward developing hybrid solar energy technologies that deliver cost-effective power in the absence of sunlight. The Energy Department's Advanced Research Projects Agency-Energy (ARPA-E) is involved with the projects.

Moniz also was scheduled to host a town hall discussion on energy issues in San Antonio with Mayor Julian Castro (D).

Waxman Says Colleagues Vying for His Leadership Spot a 'Little Early'

Posted February 06, 2014, 1:57 P.M. ET

Rep. Henry Waxman (D-Calif.) is irked that Energy Committee Democrats are already vying for his spot as the panel's top Democrat even though he is not leaving office until the end of the year.

"I find it peculiar—that I'm still here 'till December" and two Democrats "are already fighting over a position that I would occupy until then," the 40-year veteran of the House told reporters. Waxman announced Jan. 30 that he would not run again. A few days later, two committee Democrats—Rep. Frank Pallone (D-N.J.) and Anna Eshoo (D-Calif.)—threw their hats into the ring to succeed him as the panel's ranking minority member.

"I announced I was leaving a week ago, and they are already campaigning for my position 11 months from now?" asked Waxman, who in 2008 toppled Rep. John Dingell (D-Mich.) to take the helm of the committee. "I don't know what the appropriate time was, but I thought it was a little early," Waxman said.

Senate Begins Considering Bills to Boost Volume of Timber Harvests on Federal Lands

Posted February 06, 2014, 1:55 P.M. ET

A Senate hearing Feb. 6 set the stage for legislation to increase timber harvests and reduce litigation with the goal of boosting rural economies and forest health at the same time.

Sen. Ron Wyden (D-Ore.), at what was expected to be his last day as chairman of the Senate Energy and Natural Resources Committee, tried to stake out a middle ground between "the extremes" for the bill he introduced to increase timber harvests in Oregon.

Rep. Peter DeFazio (D-Ore.) echoed that position as he testified in support of Wyden's bill, the Oregon and California Land Grant Act of 2013 (S. 1784). The bill could double timber harvests on designated federal lands in Oregon.

The hearing also considered the National Forest Jobs and Management Act (S. 1966) introduced by Sen. John Barrasso (R-Wyo.) to address the same issues on federal lands at a national level.

Obama administration officials expressed support of the goals but not the mechanisms of the bills. Steven Ellis, deputy director of operations for the Bureau of Land Management, made it clear that the administration remains opposed to requirements designed to limit litigation or get environmental reviews done expeditiously.

Agencies to Write Report on Health Impacts of Climate Change

Posted February 06, 2014, 1:49 P.M. ET

The Environmental Protection Agency is asking for comments on an upcoming special report looking at the impacts of observed and projected climate change on human health in the United States, according to a [notice](#) set to be published in the Federal Register Feb. 7.

The report, expected to be finalized by late 2015, is intended to help public health officials, urban planners, decision makers and other stakeholders in government better understand the human health risks from extreme weather and climate events, air quality impacts, heat and cold waves and other issues related to climate change.

It is being prepared by the U.S. Global Change Research Program (USGCRP), a collaboration among 13 federal departments and agencies to research the nation's response to global change.

SEC Failing to Enforce Climate Disclosure Rule, Ceres Says

Posted February 06, 2014, 1:47 P.M. ET

The U.S. Securities and Exchange Commission is not doing enough to enforce its requirement for corporate reporting on climate risk, according to a new Ceres report.

The report said the majority of financial reporting on climate change from Standard & Poors 500 companies is too brief and largely superficial. The SEC has "paid minimal attention to climate risk reporting in the last four years" and has not made climate disclosure a priority in its process for reviewing companies' reporting, Ceres said.

The SEC issued guidance in 2010 directing companies to disclose material risks and opportunities of climate change and related regulations in their annual 10-K reports.

Ceres is a nonprofit network of investors, companies and interest groups that advocates for corporate responsibility.

Carbon Capture Not Demonstrated Technology, Industry Groups Tell EPA

Posted February 06, 2014, 1:25 P.M. ET

Industry groups disputed the Environmental Protection Agency's assertion that carbon capture systems are commercially available and viable at a public hearing on the proposed carbon dioxide performance standard for new power plants.

Meanwhile, environmental groups urged the EPA to propose an even more stringent new source performance standard for carbon dioxide emissions from new natural gas combined cycle power plants at the Feb. 6 public hearing.

Power, manufacturing and mining groups all argued that carbon capture has not yet successfully been demonstrated at a commercial-scale power plant and should not be required for new coal-fired power plants as part of the EPA's proposed new source performance standards. None of the projects cited by the EPA as examples of carbon capture being deployed have begun operation and cannot be used to show the technology's viability, industry groups said. They urged the EPA to withdraw its proposed rule and propose a new standard that can be achieved by the current generation of new coal-fired power plants.

The EPA proposed its new source performance standards for carbon dioxide emissions from new power plants under Section 111 of the Clean Air Act Jan. 8.

House Transportation Committee to Hold Field Hearing on West Virginia Chemical Spill

Posted February 06, 2014, 1:17 P.M. ET

The House Transportation and Infrastructure Committee will hold a field hearing Feb. 10 in Charleston, W.Va., to examine the causes and response to the release of chemicals into the Elk River by Freedom Industries Inc.

The spill left hundreds of thousands of people without access to safe drinking water.

Members of Congress expected to participate in the hearing include committee Chairman Rep. Bill Shuster (R-Pa.), ranking member Rep. Nick Rahall (D-W.Va.) and Rep. Shelley Moore Capito (R-W.Va.).

Rafael Moure-Eraso, chair of the U.S. Chemical Safety Board, and Gary Southern, president of Freedom Industries, are also scheduled to participate.

Mike Boots to Become Acting CEQ Chairman Feb. 18

Posted February 06, 2014, 1:12 P.M. ET

White House Council on Environmental Quality Chief of Staff Mike Boots will become acting chairman Feb. 18 when current chairman Nancy Sutley departs, a White House official confirms to Bloomberg BNA.

"As CEQ Chief of Staff, Mike has been an integral part of every major environmental decision of the Administration, often serving as a key liaison between agencies and White House senior staff," the White House said in a statement.

The White House also said the search for a permanent chairman of CEQ is ongoing.

Senate Committee Clears Set of Bills, Nominees Related to Water, Wildlife

Posted February 06, 2014, 12:14 P.M. ET

The Senate Environment and Public Works Committee has cleared 13 pieces of legislation related to water and wildlife and six nominations for federal posts.

The bills, which include the North American Wetlands Conservation Extension Act of 2013, and three of the nominations were easily approved en bloc on Feb. 6.

The remaining three nominations, which had already been cleared by the Senate committee, were again reported favorably after roll call votes. These nominations include Ken Kopocis, whom the president named to serve as EPA assistant administrator for water; Richard Engler, who was tapped to fill a seat on the Chemical Safety Board; and Rhea Sun Suh, who was nominated to be Interior's assistant secretary for fish and wildlife and parks.

These nominations had to come back to the panel for reconsideration because they were not voted on before the Senate adjourned at the end of 2013.

EPA Says Carbon Standards Don't Violate Energy Policy Act

Posted February 06, 2014, 11:57 A.M. ET

The Environmental Protection Agency is defending its proposal to require carbon capture systems for new coal-fired power plants, saying the standards wouldn't violate the Energy Policy Act of 2005 as critics contend.

The act bars the EPA from issuing standards based on the performance of carbon capture systems that receive federal funding under the act, and House Republicans have argued some of the carbon capture projects the EPA cited in its proposed rule have received such funding or tax incentives.

In a newly released notice, the EPA acknowledged the power plants have received the funding, but the agency said those projects are only one reason the agency believes carbon capture is feasible as part of proposed new source performance standards for carbon dioxide emissions from new power plants.

"The EPA's rationale does not depend solely upon those projects, and the determination remains adequately supported without any information from facilities that have been allocated the ... tax credit," the agency wrote in a notice to be published in the Federal Register.

The EPA will accept comments on its interpretation of the Energy Policy Act through March 10.

House Democrats Ratchet up Calls for Climate Action

Posted February 06, 2014, 11:04 A.M. ET

House members of a caucus formed to pressure Republicans to act on climate change said Feb. 6 they will ratchet up their campaign to include weekly YouTube videos and op-ed pieces.

Chris Van Hollen (D-Md.), ranking Democrat on the House Budget Committee, said that since launching the Safe Climate Caucus a year ago, members have made 140 floor speeches about the latest climate science and touting benefits of clean energy.

The 35 caucus Democrats will try to increase pressure going forward through the YouTube videos and op-eds to be published in the Huffington Post.

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